

DECLARATION OF VICKI AZNARAN

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I, Vicki Aznaran, do declare as follows:

OCT 07 1988

CUMMINGS & WHITE

1. In approximately February of this year my husband, Richard Aznaran, and I decided to hire an attorney for the purpose of litigation against the Scientology cult. I knew that finding an attorney who had familiarity with the cult would be difficult due to the fact that when the cult settles any litigation, it is standard policy that they pay off the opposition attorneys to never take another case against them. So, while there have been many cases against the cult, there are few if any attorneys available who have familiarity with them.

2. It is also standard policy for the Scientology cult to make litigation as expensive and oppressive as possible in order to discourage attorneys from taking cases against them. It was not until I attempted to retain an attorney to represent me against the cult that I found out how successful they were.

3. On or about March 16, of this year, I flew to Los Angeles to hire an attorney and my husband stayed in Dallas to take care of our new business. I was then and am now also a student. During March 1988, I was enrolled for 19 semester hours as well as working full time at our business.

4. The day after I arrived in Los Angeles, my friend, Mr.

1 Joseph A. Yanny suggested the names of several attorneys who might  
2 be willing to take our case. I also relied on listings of  
3 attorneys in the Los Angeles Yellow Pages. My husband was also  
4 making calls from Dallas to attorneys that he thought might take  
5 the case. Richard attempted to contact Mr. Charles O'Reilly of Los  
6 Angeles, whom he knew had a case pending against the Scientology  
7 cult. Mr. O'Reilly did not return the phone calls.

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9 5. Shortly after my arrival to Los Angeles, I visited a  
10 prominent attorney in the Los Angeles area who I believe is named  
11 "Grassini". After telling him what had happened to my husband and  
12 me, Mr. Grassini said that he was reluctant to file suit because  
13 he had a family and there was no way he would subject them to what  
14 had been done to Mr. Charles O'Reilly. It seems he knew Mr.  
15 O'Reilly personally and knew of some of the things that had been  
16 done to him when he was in litigation against the cult. Mr.  
17 Grassini also said that life was too short to get involved in  
18 litigation against that cult.

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20 6. I knew of another attorney who had a case pending against  
21 the Scientology cult, Mr. Paul Morantz. I contacted Mr. Morantz  
22 and he came out to Mr. Yanny's office and interviewed me. He said  
23 he would have to think about it for awhile and he would get back  
24 to me as to whether or not he could take the case. Mr. Morantz was  
25 in practice alone and did not really feel that he could handle the  
26 massive amounts of paperwork, depositions, hearings and so forth  
27 that would be involved in our case. I decided that Mr. Morantz  
28 would not be able to handle our case against Scientology alone.

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7. I continued to make calls from attorney listings in the Los Angeles Yellow Pages. At one point Mr. Yanny suggested that I contact an attorney named "Spence" in Wyoming. Subsequently, I spoke to one of Mr. Spence's associates. His associate took down the information and said that they were interested in the case and asked if I could come to Wyoming. I did not have the financial resources to take that trip. I also thought that it would be difficult for Mr. Spence to handle this case from Wyoming, so I decided to continue to search for an attorney in the Los Angeles area.

8. I also spoke with at least one, maybe two attorney firms in Chicago whom Mr. Yanny felt might be willing to take my case. I spoke with them on the phone and they were familiar with the Scientology cult. However they did not really feel willing to subject themselves to the harassment and "fair game" that they knew would occur.

9. My younger sister, Karen McRae, is an attorney in Dallas, Texas. I phoned my sister and explained to her the difficulty I was having finding an attorney. She decided to come to Los Angeles and help me.

10. In the meantime, my husband was continuing to call various attorneys from Dallas. Richard spoke to an associate of Mr. Melvin Belli in San Francisco. This associate then phoned me at Mr. Yanny's home and I arranged to meet with him and Mr. Belli

1 in San Francisco. The next day, Karen and I flew to San Francisco  
2 and met with Mr. Belli and several of his associates. Mr. Belli  
3 agreed to take the case. I spent the day at his law firm. In the  
4 meantime, I contacted Richard and asked him to fly to Los Angeles  
5 so that we could finalize matters with Mr. Belli. Karen and I  
6 returned to Los Angeles.

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8 11. Very shortly thereafter, I was contacted by Mr. Belli's  
9 associate who said that after reviewing matters with their  
10 investigator, who had previously been with Federal law enforcement,  
11 they had determined that they would be getting involved with a  
12 "Jonestown-like cult" that would stop at no expense or action to  
13 "get their enemies". He said that due to this they would not be  
14 able to finance the suit for the many years it would take to  
15 litigate and then appeal any decision in our favor. He concluded  
16 that Mr. Belli would only take the case if we could pay a one  
17 hundred thousand dollar (\$100,000.00) retainer to cover his initial  
18 expenses.

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20 12. By this time, my husband had arrived in Los Angeles. He  
21 and I talked it over and agreed that it would be impossible to come  
22 up with that kind of money due to trying to put me through school  
23 and get our new business going. We were also concerned about Mr.  
24 Belli's age and him having to get involved in such an ordeal and  
25 perhaps his health failing him during the many years that this  
26 litigation will inevitably take. I say this based on my knowledge  
27 of Scientology's litigation strategy.

1           13. It is the policy of the Scientology cult to "make it  
2 rough on attackers all the way". It was and is currently  
3 Scientology's policy to make litigation completely untenable  
4 financially, emotionally, and physically, so that no attorney who  
5 faces Scientology will ever take another case against them.

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7           14. For example, I understand that Mr. O'Reilly has already  
8 spent 8 years on the case he undertook on behalf of Mr. Larry  
9 Wollersheim. Mr. Michael Flynn spent approximately 6 to 8 years  
10 on the several cases he had in several states against the cult.  
11 Mr. Flynn's cases were finally settled. He was paid to never take  
12 another case against the cult. Mr. Gary McMurry of Portland Oregon  
13 spent 8 years on the suit he undertook on behalf of Julie  
14 Titchbourne. He went through two trials and an appeal process  
15 before the case was finally settled. These are a few of the cases  
16 that I specifically recall. In sum, Scientology's policy is to  
17 wear down and harass opposing litigants and their attorneys in  
18 order to make the whole process completely unbearable in every way  
19 imaginable.

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21           15. Based on all of this, including the request for a  
22 retainer beyond our means, my husband and I did not retain Mr.  
23 Belli's firm. We continued to search for an attorney.

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25           16. I thereafter contacted another attorney in the Los  
26 Angeles area. I believe his name was Mr. Zucker. My husband and  
27 I met with him and spent a few hours outlining what had happened  
28 to us while we were in the cult. Mr. Zucker stated that he was

1 aware of past Scientology litigation. He indicated that he did not  
2 really want to get involved in a lawsuit against Scientology. Mr.  
3 Zucker indicated that his decision was partly based on  
4 conversations with his friend, Mr. Randolph, an attorney who  
5 represented the cult for several years. He also stated that his  
6 law partner had once represented a singer against the cult in the  
7 1970's and the cult, in retaliation, had ruined the singer's  
8 career. He doubted that his partner would be willing to get  
9 involved in such litigation. At this point, he told us he was  
10 sorry but he just did not want to take the risks.

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12 17. None of the attorneys who declined to take our case  
13 indicated that they believed our case lacked merit. Rather the  
14 response was a reluctance to litigate against or otherwise  
15 antagonize such a ruthless and criminal opponent as Scientology.

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17 18. Mr. Yanny then informed Richard and I that an associate  
18 of his, Mr. Rick Wynn, whom I had met briefly at Mr. Yanny's house,  
19 knew of an attorney who might be interested in the case. This  
20 attorney was named Barry Van Sickle. Mr. Van Sickle came to Mr.  
21 Yanny's home on or about March 25, 1988 and met with Richard and  
22 me briefly.

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24 19. In the next day or so, Mr. Van Sickle called Richard and  
25 I and informed us that Cummins and White would probably take our  
26 case and that they would assist us in getting a complaint on file.

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28 20. At this point we met with Mr. Van Sickle and several of

1 his associates for the purpose of drafting a complaint. On or  
2 about April 1, 1988 Cummins & White filed the resulting complaint  
3 on our behalf.

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5 21. Losing Mr. Van Sickle's representation has been and would  
6 be a great hardship for my husband and me. If the court's  
7 disqualification order stands, we will be forced to return to Los  
8 Angeles and search again for an attorney who will be willing to  
9 take on a difficult case, face the extremely high expense involved,  
10 and subject themselves and those they care about to the cult's  
11 policy of fair game. Based on the difficulties we faced during our  
12 first attempt to retain counsel in March, 1988, my husband and I  
13 are fearful that we will be unable to retain any law firm with the  
14 willingness, time and resources to handle litigation against  
15 Scientology. Further, Scientology has lived up to its reputation  
16 in its handling of this case. Some examples follow:

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18 There have been three motions to dismiss this action; my  
19 husband and I have been deposed for eleven days and there are  
20 demands for more, my sister Karen was sued for trying to help us;  
21 Mr. Yanny and his associates have been sued for helping us find  
22 counsel; Cummins & White has been threatened with suit and claims  
23 of contempt; my immediate family members have been subpoenaed and  
24 subjected to harassing depositions; Scientology has failed to  
25 produce the documents requested by us in discovery; since the  
26 disqualification order we have been inundated with pleadings and  
27 motions; and, personal records have been subpoenaed going back to  
28 our grade school transcripts.